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## UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No  
A-1696

Total Pages in this Submission

24

jc849 U.S. PTO  
09/04/5513

04/30/01

TO THE COMMISSIONER FOR PATENTS  
**Box Patent Application**  
**Washington, D.C. 20231**

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 CFR 1.53(b) is a new utility patent application for an invention entitled:

PORTABLE OXYGEN SENSOR ANALYZER

and invented by:

Peter J. Lenehan

If a CONTINUATION APPLICATION, check appropriate box and supply the requisite information:

[ ] Continuation [ ] Divisional [ ] Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

## Enclosed are Application Elements:

[x] Filing Fee

[x] Specification having 13 page(s) and including the following:

- [x] Title of the Invention
- [ ] Cross References to Related Applications (*if applicable*)
- [x] Background of the Invention
- [x] Brief Summary of the Invention
- [x] Description of the Drawings
- [x] Description of the Preferred Embodiment
- [x] Claim(s) as Classified Below
- [x] Abstract of the Disclosure

[x] 3 Sheets of Drawings(s) (37 CFR 113) [ ] Formal [x] Informal

[x] Oath or Declaration [x] Executed [ ] Unexecuted

[ ] Copy from prior application (37 CFR 1.63(d)) (*for continuation/divisional application only*)

[x] Power of Attorney [x] Executed [ ] Unexecuted

[ ] Copy from prior application (37 CFR 1.63(d)) (*for continuation/divisional application only*)

[ ] Incorporation By Reference -- The entire disclosure of the prior application from which a copy of the oath or declaration is supplied under the above entry, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

[ ] Computer Program in Microfiche (*Appendix*)

## Accompanying Application Parts

[ ] Assignment Papers (cover sheets &amp; documents(s))

[ ] The prior application is assigned of record to \_\_\_\_\_

[ ] Copy from prior application (37 CFR 1.63(d)) (*for continuation/divisional application only*)[ ] 37 CFR 3.73(B) Statement (*when there is an assignee*)[ ] English Translation Document (*if applicable*)

- [ ] Information Disclosure Statement/PTO-1449      [ ] Copies of \_\_\_ IDS Cited Reference(s)
- [ ] Preliminary Amendment
- [X] Acknowledgment postcard
- [X] Application is entitled to Small Entity Status.
- [X] Application Data Sheet
- [X] Request of NON-PUBLICATION of Application
- [X] Certificate of Mailing by Express Mail
- [ ] Certified Copy of Priority Document(s) (*if foreign priority is claimed*)

**Fee Calculation and Transmittal**

*\*The filing fee is calculated on the basis of the claims existing in the prior application as amended by the accompanying preliminary amendment noted above.*

CLAIMS AS FILED					
For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	3	- 20 =	0	X \$ 18.00	\$ 0.00
Independent Claims	3	- 3 =	0	X \$ 80.00	\$ 0.00
Multiple Dependent Claims <i>(check if applicable)</i>					\$ 0.00
				BASIC FEE	\$ 710.00
				SUBTOTAL	\$ .00
(Application is entitled to small entity status under 37 CFR 1.9 and 1.27)				adjusted small entity status claim fees [rate ÷ 2]	YES \$ 355.00
				SMALL ENTITY STATUS	
OTHER FEE (specify purpose)					\$ 0.00
				TOTAL FILING FEE	\$ 355.00

- [X] A check in the amount of \$ 355.00 to cover the filing fee is enclosed.
- [X] The Commissioner is hereby authorized to charge and/or credit Deposit Account Number 13-5135 as described below.
- [ ] Charge the amount of \$ \_\_\_\_\_ as filing fee.
- [X] Credit any overpayment.
- [X] Charge any additional filing fees required under 37 CFR 1.16 and 1.17.

Respectfully Submitted,

Donald E. Stout  
Attorney for Applicants  
Registration Number: 34,493

April 30, 2001  
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application: /  
Peter J. Lenehan / BOX PATENT APPLICATION  
/

Filed: Herewith /  
/

For: PORTABLE OXYGEN SENSOR /  
ANALYZER /

Commissioner for Patents  
Washington, D.C. 20231

EXPRESS MAIL MAILING LABEL NO.

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Date of Deposit: **April 30, 2001**

I hereby certify that the following documents as identified below are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under CFR 1.10 on the date indicated above and are addressed to the Commissioner for Patents, Box Patent Application, Washington, D.C. 20231:

1. Transmittal letter;
2. Specification/Claims/Abstract 13 pages  
(Specification & Abstract / 11 pages; Claims 3 / 2 pages);
3. 3 sheets of informal drawings;
4. Declaration for Patent Application;
5. Application Data Sheet;
6. Request for Non-Publication;
7. Check; and
8. Return Receipt postcard.

Each of the 8 above-identified documents are enclosed herewith.

Respectfully submitted,



Dawn E. Zuniga  
Office of Donald E. Stout  
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Irvine, CA 92618

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Commissioner for Patents  
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**REQUEST FOR NON-PUBLICATION OF APPLICATION**  
**UNDER 37 C.F.R. § 213(a)**

Dear Sir:

Applicants hereby request that the above-referenced patent application, filed concurrently herewith, **NOT BE PUBLISHED** under 35 U.S.C. § 122(b). In making this request, applicants certify that the invention disclosed in the application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at 18 months after filing.

Respectfully submitted,



Donald E. Stout  
Registration No. 34,493  
STOUT, UXA, BUYAN & MULLINS, LLP

April 30, 2001  
4 Venture, Suite 300  
Irvine, CA 92618